

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

MAR 11 2008

JOHN F. CORCORAN, CLERK
BY: H McDonald
DEPUTY CLERK

United States of America)

v.)

Charles : Edward Dodson)

Case No: 7:94CR40106-007USM No: 04914-084Date of Previous Judgment: March 30, 1998

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 43Amended Offense Level: 41Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: LIFE to LIFE monthsAmended Guideline Range: 360 to LIFE months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

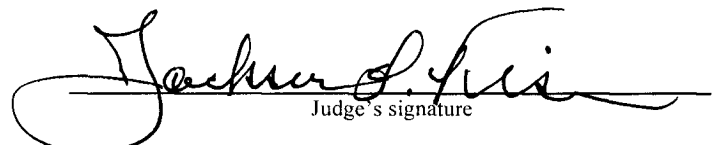
- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain):

The original imprisonment term of 360 months already represented a departure from the original Guidelines range (which was "LIFE") because the custody range actually increased after a count charged under 18 U.S.C. 924(c) was vacated on remand. Because the bottom of the new, recalculated Guidelines range is 360 months, no change is necessary in this case.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated Mar. 30, 1998 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/11/08


Judge's signature

Effective Date: March 3, 2008
(if different from order date)

Senior United States District Judge Jackson L. Kiser
Printed name and title